

Answers to Questions from **SGP “RCRA Simplified” workshop**

- Slide 17:
 - Is it considered treatment to place paint filters in water so they don’t explode prior to disposal?
 - Treatment is defined as “any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to neutralize such waste, or so as to recover energy or material resources from the waste, or so as to render such waste nonhazardous, or less hazardous; safer to transport, store, or dispose of; or amenable for recovery, amenable for storage, or reduced in volume.” Based on this definition, yes it is considered treatment to place paint filters in water so they don’t explode prior to disposal. However, EPA clearly stated (both in the preamble to the March 24, 1986 final SQG rule [51 FR 10168] and RO 11163, 11641, 12811 for LQGs) that generators in compliance with §262.34 can treat hazardous waste in accumulation tanks and containers without a permit.
- Slide 20:
 - Is there a timeframe for training employees at a SQG?
 - The referenced regulations is 40 CFR 262.34(d)(5)(iii) states “[t]he generator must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergency.” Although the regulation does not provide a prescribed timeline, it does imply that an employee that managed hazardous waste needs to be trained before they begin managing hazardous waste.
- Slide 21:
 - Listing locations for emergency equipment – how to specific location of mobile equipment?
 - While 40 CFR 265.52(e) does not specifically address how to list the location of mobile equipment at a facility, it is suggested that, at a minimum, the location of where the equipment would be housed when not in use be specified in this section of the Contingency Plan and also indicate that the specific equipment is mobile and that it will remain on the facility grounds at all times and may be located in case of emergency.
- Slide 24:
 - Lamp containers that are collapsible or folded when sent to the facility, should this be cited as a damaged container?
 - 40 CFR 273.13(d)(1) states that “a small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage and damage that could cause leakage under reasonably foreseeable conditions.” While this citation does not directly address collapsible

or folded containers, as long as the container meets the above requirements the facility should be considered in compliance with this regulation.

- Slide 30:

- With respect to the definition of “at or near the point of generation”? Is “near” defined by EPA? (Example – container taken from a lab on the second story to an intended satellite accumulation container located on the first floor.)
 - 40 CFR 262.34 (c)(1) requires containers accumulating hazardous waste in SAAs to be located "at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste ... " to ensure any spills or releases are quickly noticed and addressed. Some Regions and states recommend utilizing an "in sight of" approach to implement this requirement; however, site-specific conditions should generally determine compliance with what constitutes "at or near any point of generation." In cases where there are multiple points of generation within the same SAA, movement or consolidation within the SAA is permissible, as long as *the* waste remains "at or near" the point of generation and under the control of the operator of the process generating the waste. As an example, it would be permissible if spent solvent was generated at the bench and then consolidated into a 55 gallon container at the end of a shift within the same SAA, so long as the waste remained "at or near" the point of generation and under the control of the operator.
([http://yosemite.epa.gov/osw/rcra.nsf/0c994248c239947e85256d090071175f/DC2AFFCA7960F08A8525795F00610EE7/\\$file/14826.pdf](http://yosemite.epa.gov/osw/rcra.nsf/0c994248c239947e85256d090071175f/DC2AFFCA7960F08A8525795F00610EE7/$file/14826.pdf))
 - Can be further away if for safety purposes
([http://yosemite.epa.gov/osw/rcra.nsf/0c994248c239947e85256d090071175f/1987FD564C9C42548525670F006BDA47/\\$file/11317.pdf](http://yosemite.epa.gov/osw/rcra.nsf/0c994248c239947e85256d090071175f/1987FD564C9C42548525670F006BDA47/$file/11317.pdf))
- Specific question regarding “point of generation” – If waste is taken from a small container (i.e., beaker) to a large container (i.e., 55-gallon drum), is the beaker considered a satellite accumulation container or a day can? Are day cans allowed in IA?
 - 40 CFR 262.34 (c)(1) requires containers accumulating hazardous waste in SAAs to be located "at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste ... " to ensure any spills or releases are quickly noticed and addressed. Some Regions and states recommend utilizing an "in sight of" approach to implement this requirement; however, site-specific conditions should generally determine compliance with what constitutes "at or near any point of generation." In cases where there are multiple points of generation within the same SAA, movement or consolidation within the SAA is permissible, as long as *the* waste remains "at or near" the point of generation and under the control of the operator of the process generating the waste. As an example, it would be permissible if spent solvent was generated at the bench and then consolidated into a 55 gallon container at the end of a shift within the same SAA, so long as the waste remained "at or near" the point of generation and under the control of the operator.
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- **Question:** If a facility has multiple SAAs, can hazardous waste be moved from one SAA to another? **Answer:** No. Generators may not move hazardous wastes between SAAs. Once a hazardous waste leaves an SAA, it must be destined for a central accumulation area that is regulated under 262.34(a) or (d) or for final treatment or disposal at a facility with a permit or interim status. However, a single SAA may have multiple points of generation. Movement or consolidation of hazardous waste within an SAA is permissible, as long as it remains “at or near” the “point of generation” and “under the control of the operator of the process generating the waste.”

[http://yosemite.epa.gov/osw/rcra.nsf/0c994248c239947e85256d090071175f/0AC9E15424B2897D8525770600609793/\\$file/14703.pdf](http://yosemite.epa.gov/osw/rcra.nsf/0c994248c239947e85256d090071175f/0AC9E15424B2897D8525770600609793/$file/14703.pdf)

- Satellite Accumulation Areas – how much hazardous waste can a facility have in a satellite area? How much separation is needed to distinguish separate satellite accumulation areas? Define when/how to separate?
 - EPA issued guidance for SAAs, stating it is permissible to have more than one hazardous waste in an SAA. Likewise, it is permissible to have more than one container of hazardous waste in an SAA. The regulations do not limit the number of hazardous wastes or the number of containers that can be placed in an SAA. The regulations limit **only** the total volume of hazardous waste at a single SAA to 55 gallons (or 1 quart of acute hazardous waste). If there are multiple containers of hazardous waste in a SAA, each container must be labeled in accordance with 262.34(c)(1)(ii). Similarly, what constitutes an SAA (i.e., one or more wastes or one or more containers) is a site-specific determination made by the hazardous waste generator.
- [http://yosemite.epa.gov/osw/rcra.nsf/0c994248c239947e85256d090071175f/DC2AFFCA7960F08A8525795F00610EE7/\\$file/14826.pdf](http://yosemite.epa.gov/osw/rcra.nsf/0c994248c239947e85256d090071175f/DC2AFFCA7960F08A8525795F00610EE7/$file/14826.pdf)

- Slide 35:

- Does EPA define adequate aisle space in the hazardous waste accumulation area? Is 2-3 feet considered a reasonable amount of space?
 - EPA provides a good rule of thumb for its inspectors of 24 inches in its RCRA Inspector Manual (p. III-79 of 1993 Edition - <http://nepis.epa.gov/Exe/ZyNET.exe/9100UMJI.TXT?ZyActionD=ZyDocument&Client=EPA&Index=1991+Thru+1994&Docs=&Query=&Time=&EndTime=&SearchMethod=1&TocRestrict=n&Toc=&TocEntry=&QField=&QFieldYear=&QFieldMonth=&QFieldDay=&IntQFieldOp=0&ExtQFieldOp=0&XmlQuery=&File=D%3A%5Czyfiles%5CIndex%20Data%5C91thru94%5CTxt%5C00000026%5C9100UMJI.txt&User=ANONYMOUS&Password=anonymous&SortMethod=h%7C-&MaximumDocuments=1&FuzzyDegree=0&ImageQuality=r75g8/r75g8/x150y150g16/i425&Display=p%7Cf&DefSeekPage=x&SearchBack=ZyActionL&Back=ZyActionS&BackDesc=Results%20page&MaximumPages=1&ZyEntry=1&SeekPage=x&ZyPURL>)

- Slide 44:

- CRTs – How does EPA regulate this type of waste? Is it regulated as a hazardous waste or universal waste? Is an LDR required for CRT disposal?

- CRTs are subject to the standard RCRA regulations, but there is a specific exclusion for CRTs at 40 CFR 261.4(a)(22) which conditionally exempts specific CRTs from the definition of solid waste provided that the conditions and all referenced regulations for the exclusion are met. Depending on the conditional exclusion used, the referenced regulations are 40 CFR 261.1(c)(8), 261.39, and 261.40.
 - Information outlining when LDRs apply to CRTs:
[http://yosemite.epa.gov/osw/rcra.nsf/0c994248c239947e85256d090071175f/ABAB111FF652D08785257D630062ECA7/\\$file/14844.pdf](http://yosemite.epa.gov/osw/rcra.nsf/0c994248c239947e85256d090071175f/ABAB111FF652D08785257D630062ECA7/$file/14844.pdf)
 - IDNR has CRT disposal guidance on their website:
<http://www.iowadnr.gov/Environmental-Protection/Land-Quality/Waste-Management/Recycling/E-waste>
- Slide 46:
 - If the parts washer solution is considered hazardous waste but is enrolled in a continued use program (CUP) and is sent to a TSDF and then combined with wastes from other facilities and determined usable by the TSDF, is this acceptable under the CUP?
 - There is not a CUP in Iowa. If a facility is located outside of Iowa, it is suggested that they check with the state for which they are located.